

REMARKS

At the heart of the present invention is the automatic generation and provision of preformatted, execution ready hyperlink code, of a hyperlink of interest, for use by a Web page designer. This has been noted by the Examiner both in a telephone conference of September 9, 2005 and in the Advisory Action dated September 14, 2005.

In the disclosed embodiment of the present invention, there are multiple times of data requests (with input parameters) and response (with output parameters). Specifically, an input set of date/time of request, user name, password and merchant list, in a data request, produces an output response of merchant name, merchant ID, merchant logo image and affiliate site ID. See Specification page 9, lines 11-25. A subsequent data request input of date/time, user name..., section link group list, merchant ID and affiliate ID produces an output (response) of section link group ID and section link group name. See Specification page 9, line 26 - page 10, line 14. The data request/input including section link list, merchant ID...and section link group ID then produces on output (response) a list of applicable hyperlinks. See page 10, line 15 - page 11, line 13. An input/request indicating merchant ID, affiliate site ID, link ID and image ID, among other input parameters, produces an output/response of preformatted, execution ready code of a hyperlink of interest. See Specification page 11, line 14 - page 12, line 3.

Base Claims 1, 15, 29 and 41 as previously presented attempted to capture all four pairs of data request-response summarized above. In order to more succinctly claim the essence of the present invention, base Claims 1, 15, 29 and 41 have now been amended to be directed to the last of the above pairs of data request-response.

Base Claims 1, 15, 29 and 41 have also been amended to address other concerns (e.g., alternative language) expressed by the Examiner in the telephone conference of September 9, 2005. Support for each of these claim amendments is found in the above-recited passages of the Specification as originally filed. No new matter is introduced.

New Claim 53 is being presented to recite the essence of the present invention in view of the above four summarized data requests/responses utilized in a disclosed embodiment of the present invention. Support for new Claim 53 is found at least on Specification pages 9-11 as originally filed. No new matter is being introduced. Acceptance is respectfully requested.

As now amended, Claims 1-5, 7-19, 21-32, 34-44 and 46-53 are believed to recite the present invention in patentable (unobvious and novel) terms over the cited and prior art.

Applicants believe with this amendment and co-filed RCE, the application is condition for allowance and such allowance is respectfully requested.

For purposes of thoroughness the following repeats the arguments over the cited art from the Amendment after Final filed September 7, 2005 in the subject application.

Claims 1, 2, 4, 7-9, 12, 14-16, 18, 21-22, 26, 28-29, 31, 34-36, 39, 41, 43, 46-48 and 51 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Bezos et al. (U.S. Patent No. 6,029,141).

The present invention allows a vendor's program to automate creation of hyperlinks by accessing a hyperlink database. In a preferred embodiment illustrated in Fig. 1 of the subject patent application, the hyperlink database 30 stores various preformatted (generally error free) hyperlink code in computer usable/execution ready format (e.g., HTML format) and image representations for hyperlinks to respective merchants' web pages. The hyperlink database subsystem 31 is a part of a computer system 21 capable of receiving data requests 26 and transmitting the resulting data (desired preformatted hyperlink code and the like in computer usable/execution ready form) 27 over a network 28. In particular, computer system 21 is coupled for communications across network 28 to a vendor's web development tool 24 running on a client computer 20. During the design of a web page 23, the web development tool 24 invokes an application program interface (API) 22 to generate the data request 26 and to receive the resulting responses 27 (e.g., preformatted, computer usable/executable hyperlink code extracted from hyperlink database 30). Thus, the API 22 enables web development tools 24 to interact directly with the hyperlink database subsystem 31 to create hyperlinks on web pages 23 under design/construction.

As such, the invention API 22 benefits affiliates and vendors by allowing seamless integration of link creation into web development tools 24. The invention API 22 also benefits merchants by offering an easier and more accurate alternative for their affiliates to create the desired links on subject web pages 23. Thus, a key aspect of the present invention is that a response to a request includes preformatted, computer usable/ execution ready code necessary to execute a desired hyperlink. This aspect is now recited in each of the base Claims 1, 15, 29 and 41 as now amended with the language "...in response to said request, receiving a response comprising at least one of:... preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises

computer usable or execution ready code necessary to execute each said hyperlink.(emphasis added)"

Support for the foregoing is found at least on Specification page 6, lines 16-21; page 6, line 25 through page 7, line 16; page 11, lines 27-29 and page 14, lines 8-23 as originally filed. No new matter is introduced. The claims have been amended to emphasize and further highlight that the invention system provides preformatted, computer usable/executable hyperlink code which is patentably distinguishable over the mere instructions and hyperlink URL examples (non-specific and in non-executable format) of the cited art.

The U.S. patent to Bezos et al. is cited as disclosing that a customer referral system sends instructions to the user that indicate how to create referring links on the associate web page. Such instructions do not meet the claim limitation of comprising "...preformatted data necessary for generating at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink". This "...preformatted data" and "computer usable or execution ready code" claim limitation is recited in each of the independent Claims 1, 15, 29 and 41 as now amended. Claims 2, 4, 7-9, 12 and 14 depend from base Claim 1 and thus inherit this claim limitation. Claims 16, 18, 21-23, 26 and 28 depend from base Claim 15 and thus inherit this claim limitation. Claims 31, 34-36 and 39 depend from base Claim 29 and thus inherit this claim limitation. Similarly, Claims 43, 46-48 and 51 are dependent from base Claim 41 and thus inherit this claim limitation. As such, the invention of each of these claims is not believed to be anticipated by Bezos et al. and thus the § 102(e) rejection of these claims is believed to be overcome.

Claims 3, 17, 30 and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bezos in view of Perri, III et al. (U.S. Patent Application Publication No. US2001/0020231). Claims 3, 17, 30 and 42 are dependent from independent Claims 1, 15, 29 and 41 respectively. Thus the foregoing arguments apply here.

Perri, III et al. does not add to Bezos the response comprising "...preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink" as recited in the base claims as now amended. Thus no combination of Bezos and Perri, III make obvious the present invention as claimed in Claims 3, 17, 30 and 42 which inherit the "preformatted" and "computer usable or execution code" limitations from respective base claims. Thus withdrawal of the rejection of these claims under § 103(a) is respectfully requested.

Claims 5, 19, 32 and 44 have been rejected under U.S.C. § 103(a) as being unpatentable over Bezos et al. in view of Vange et al. (U.S. Patent Application Publication No.

2002/0004796). Claims 5, 19, 32 and 44 depend from base Claims 1, 15, 29 and 41 respectively. Thus the arguments above regarding Bezos' lack of a response including "preformatted... computer usable or execution ready code necessary to execute each said hyperlink" apply here. Vange et al. does not add to Bezos the limiting claim language "preformatted...computer usable or execution ready code necessary to execute each said hyperlink." Thus no combination of Bezos and Vange make the invention of Claims 5, 19, 32 and 44 obvious. Withdrawal of the § 103(a) rejection of Claims 5, 19, 32 and 44 is respectfully requested.


Claims 10, 11, 24, 25, 37, 38, 49 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bezos in view of Amazon.com as published on October 13, 1999. Claims 10 and 11 depend from base Claim 1. Claims 24 and 25 depend from base Claim 15. Claims 37 and 38 depend from base Claim 29. Claims 49 and 50 depend from base Claim 41. Thus the above arguments against Bezos in view of base Claims 1, 15, 29 and 41 apply here. The Amazon.com reference does not add to Bezos et al. the receiving of a response comprising "...preformatted data necessary for generating at least one hyperlink, wherein said preformatted data necessary for generating said at least one hyperlink comprises computer usable or execution ready code necessary to execute each said hyperlink" as now recited in base Claims 1, 15, 29 and 41 as now amended. Thus no combination of Bezos and the Amazon.com reference is believed to make obvious the present invention of Claims 10, 11, 24, 25, 37, 38, 49 and 50. Withdrawal of the § 103(a) rejection of these claims is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all pending claims (Claims 1-5, 7-19, 21-32, 34-44 and 46-53) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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